

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS <b>FILED</b> FEB - 2 2010 CLERK, U.S. DISTRICT COURT By _____ Deputy
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KIMBERLY GADSON,

Plaintiff

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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Civil Action No. 3:09-CV-1128-M (BH)

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, & RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The Court has under consideration the Findings, Conclusions, & Recommendation of the United States Magistrate Judge on Plaintiff's motion for summary judgment, filed September 21, 2009, and *Defendant's Motion for Summary Judgment*, filed October 20, 2009. Objections were filed, and the District Court has made a *de novo* review of those portions of the proposed Findings, Conclusions, & Recommendation to which objection was made. The objections are overruled, and the Court accepts the Findings, Conclusions, & Recommendation of the United States Magistrate Judge.

Plaintiff's motion for summary judgment, filed September 21, 2009, is **GRANTED**, and *Defendant's Motion for Summary Judgment*, filed October 20, 2009, is **DENIED**. The case is remanded to the Administrative Law Judge for reconsideration.

SIGNED this 2 day of February, 2010.

  
BARBARA M. G. LYNN  
UNITED STATES DISTRICT JUDGE